S.B. Civil Writ Petition NO.2891/2004
(Smt. Asha Devi Vs. A.D.J. & Ors.)

Date of order : 30.5.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. Suresh Shrimali, for the petitioner.
Mr. S.N. Tiwari, Dy. Govt. Advocate.

By way of filing the present writ petition, the petitioner has challenged the impugned order dated 29.6.2004 (Annexure-14) passed by Additional District Judge No.1, Chittorgarh whereby the Additional District Judge has reversed the order dated 19.3.2004 passed by Additional Civil Judge (JD), Chittorgarh, allowing the application of the petitioner filed under Section 94 read with Section 151 CPC.

In the present writ petition, while issuing notice vide order dated 29.7.2004, the order for maintaining status-quo in respect of the land in question was ordered to be maintained. The instant writ petition is pending since 2004 and still the original execution proceedings are pending before the Additional Civil Judge (JD), Chittorgarh.

In the interest of justice, while disposing off the writ petition, it is ordered that the Additional Civil Judge (JD), Chittorgarh shall decide the execution proceedings pending before it within a

period of three months from the date of receipt of certified copy of this order. Till then, the order passed by this Court on 29.7.2004 for maintaining status quo in respect of the land in question shall remain in force.

With these directions, the writ petition is disposed of.

(GOPAL KRISHAN VYAS), J .

arun